

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ARELIOUS RAY REED,

Plaintiff,

Case No. 12-10504

v.

Hon. John Corbett O'Meara

OBSERVER/ECCENTRIC
MIRROR NEWSPAPERS,

Defendant.

**ORDER GRANTING APPLICATION TO PROCEED
IN FORMA PAUPERIS AND DISMISSING COMPLAINT**

Plaintiff Arelious Ray Reed, appearing pro se, filed his complaint on February 6, 2012.

Plaintiff alleges a libel claim against Defendant Observer/Eccentric Mirror Newspapers.

Plaintiff also filed an application to proceed *in forma pauperis*. The court finds Plaintiff's application to proceed *in forma pauperis* to be facially sufficient and, therefore, grants Plaintiff's motion to proceed without prepayment of fees. See 28 U.S.C. § 1915(a); Gibson v. R.G. Smith Co., 915 F.2d 260, 262 (6th Cir. 1990).

A review of Plaintiff's complaint, however, discloses no basis for federal subject matter jurisdiction. Plaintiff's complaint contains no allegations suggesting that this court has either federal question (such as a violation of federal law) or diversity jurisdiction, which requires the parties to be citizens of different states. See 28 U.S.C. §§ 1331, 1332. Rather, Plaintiff is alleging a state law cause of action (libel) between a Michigan plaintiff and a Michigan

defendant. Plaintiff's claim is cognizable in state court, not federal court.

Therefore, IT IS HEREBY ORDERED that Plaintiff's complaint is DISMISSED for lack of subject matter jurisdiction.

s/John Corbett O'Meara
United States District Judge

Date: February 16, 2012

I hereby certify that a copy of the foregoing document was served upon Plaintiff on this date, February 16, 2012, at 30428 Milford Road, Apartment #150, New Hudson, Michigan 48165 by first-class U.S. mail.

s/William Barkholz
Case Manager